

April 16, 2014

PROTEST - CPO - ITMO ADDRESS (JUNE 2006)

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To Whom It May Concern:

The Alloy Group is a vendor that had recently attempted to participate in the bid response to South Carolina's solicitation #5400007220: **Relativity Software and Services**. During the attempted submission process, there appeared to be a glitch in the system that caused the final submittal of Alloy's response to fail to go into "Submitted" status, but clearly was "Saved", thus received into South Carolina's procurement system in a timely fashion.

It was discovered during this process that there exists an issue whilst utilizing the latest version of Internet Explorer and the Submittal and "refresh" screen process. While Alloy acknowledges the requirements of the submittal process, they believe that they attempted in good faith to follow the directions as provided and did meet the requirements of a timely submission of their response to South Carolina's request for proposal/pricing.

Submittal Process

On April 9th, Pieper & Associates (the counsel for the Alloy Group) was retained to submit Alloy's response to solicitation #5400007220. This request was a result of Alloy's principal, James White, being otherwise disposed due to an illness in the family requiring hospitalization and Mr. Pieper having extensive experience in submitting/responding to request for proposals both in the federal and many state systems.

Attempt

On April 10th, at or about 9am Central time, Mr. Pieper logged into the South Carolina procurement website utilizing the latest version of Firefox (V28) as the preferred web browser. This web browser was chosen based upon identifying the Firefox symbol next to the file name: HTML File – Simulation for Bid Creation. (See below.)

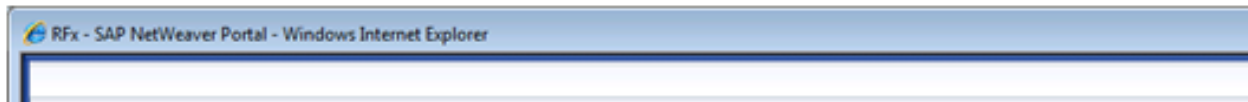
South Carolina Enterprise Information System (SCEIS) Vendor Guides

- ▶ PDF File - [Vendor Registration Guide](#)
- ▶ PDF File - [Deleting Response to Solicitation Guide](#)
- ▶ HTML File - [Simulation for Bid Creation](#)
- ▶ HTML File - [Simulation for Changing a Bid](#)

After beginning the process in Firefox, it was noticed in Step #8 that the “system” was not conducive to Firefox and that after more closely reviewing the “header” line of the directions page that the system appeared to be designed for Internet Explorer. (See below.)

8. Click the RFx Number **5400006956** for which you want to submit a response.

RFx - SAP NetWeaver Portal - Windows Internet Explorer



SAP and the appearance of the “grid” style layout and the request for “refreshing” screens led us to believe that the system was most likely written for interfacing with a SAP or Access type database. We also noted extremely slow speeds, which we attributed to the procurement site as we checked the speed at other sites and noted no issue on our end.

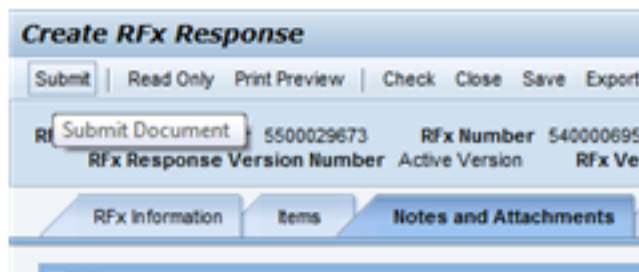
At this point we opened a window in Internet Explorer. We were greeted by an alert stating that we were already logged in at another site. We logged off the procurement site from within the Firefox site and attempted to “re-log” into the procurement site via the Internet Explorer window and were again greeted with the alert regarding being logged in at another site. We cleared the cache in both web browsers, closed out and shut-down both web browsers, and then restarted Internet Explorer.

Again we noted extremely slow connectivity/screen refresh from the procurement site. We checked other websites utilizing Internet Explorer and noted that the speed issue was only associated with the procurement site.

We continued with the process of entering the responses to the questions, pricing, attachments for pricing, and attachment for the proposal itself. This process took nearly one (1) hour to complete with numerous times where a “spinning” wheel appeared on the screen and remained for over a minute after simple entries.

Upon completion of the aforementioned process and receiving an “all green” response to the questions, the “Submit” button was clicked. (See below.)

RFx Response



At this time, the “Submit” button changed and grayed out while a spinning wheel appeared on the screen. This continued for several minutes. After the spinning wheel disappeared the screen refreshed, the “Submit” button was now gone and the “green” response page was displayed. (See below for an example.)

Display RFX Response:

At this point, we followed step #29 in the guide to generate a “Print Preview” as noted in the process. A copy of what we received is attached.

As is customary in the RFP process that we have utilized for decades, an email was directed to the procurement group indicating Alloy’s desire to participate in the response, that a response had been submitted, and if there were any issues with the proposal to give us a call. Mr. Pieper recommended this as a best practice in the electronic submission process.

The Day After RFP Submission

On Friday, April 11th, 2014, Alloy received an email from the procurement group indicating that they had not received a response to solicitation #5400007220. After some additional correspondence, it was noted that the procurement group could see that Alloy had entered the required information and that the information was “Saved” in the system, but had failed to go into a “Submitted” status.

It was further noted at this time that there was nothing the procurement officer could do at this time to change the status and that Alloy could check with the HelpDesk to seek additional help.

Monday, April 14, 2014 Follow-Up with Helpdesk

After conferring and contacting Mr. Pieper, who was unavailable on Friday, we placed a call to the Helpdesk as noted by the procurement group email response/direction on the previous Friday. Once getting through the selection and getting a hold of a Helpdesk attendant (Wanda – extremely polite, courteous, and informative), we described what had happened and requested her assistance. She asked for us to log into the procurement site

and she would walk us through the process, but she also noted that she was unable to change the “status” of a submission.

As we began the process we noted again, the very slow response times simply getting the login page to load. We checked other sites and noted that only the procurement site was behaving in such a manner. Wanda asked if we were utilizing Internet Explorer and we confirmed this to be so. We went through a complete shutdown and restart of our computer and began the process again.

Once again, we noted the slow login screen load time. Wanda asked if we were utilizing the latest version of Internet Explorer, which we confirmed as version 11. She noted that there is a known issue with utilizing the latest version and that it was not displayed anywhere in the process, thus providing notification of such issue. She was quite confident that this was the issue and that utilizing Internet Explorer 8, 9, or 10 would most likely have solved the issue. Wanda attempted to have us change the settings within Internet Explorer 11 to change it to “act” more like version 10. At that time, we lacked sufficient privileges to alter our settings on our computer, thanked her for her time, and disconnected the call.

We requested our information technology (IT) group to show us how to change the settings in Internet Explorer 11 to behave/act like version 10 or prior. The IT group advised us that this was unwise as there are some known issues with data leakage in prior versions of Internet Explorer. A decision was made not to pursue such a course of action as protection of our data is of our utmost concern.

Summary

We believe that our response was submitted in a timely fashion and that any responding vendor would garner no improper consideration were the state to accept our response to your solicitation. Further, that Alloy made a good faith effort to comport to the State’s process and but for a glitch in the procurement system, the response was properly entered into the prescribed system.

Relief Sought

Accept Alloy’s response to solicitation # 5400007220 as is currently in the State’s procurement system.

As we believe that the system logs will clearly demonstrate a timely submission, we request that the proposal and its corresponding pricing be accepted and thusly Alloy’s response to be weighed against the other respondent(s)’ response(s) in accordance with the RFP requirements.

Accept a paper version

In lieu of utilizing the current procurement system, that lacks the ability to utilize the latest version of Internet Explorer, Alloy would request that all vendors be allowed to submit a paper-based version with encrypted CD in response to this and other

procurements. This process may help protect the State from potential data loss issues that may be prevalent in previous versions of Internet Explorer.

Kindest regards,

A handwritten signature in blue ink, appearing to read "James White".

James White
Principal
Alloy Group